

ESTTA Tracking number: **ESTTA400848**

Filing date: **03/31/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051140
Party	Defendant Product Source International, LLC
Correspondence Address	ANTHONY J DIMARINO AJ DIMARINO PC 57 EUCLID STREET, SUITE A WOODBURY, NJ 08096 UNITED STATES ajd@dimarinolaw.com
Submission	Other Motions/Papers
Filer's Name	Anthony J. DiMarino, III
Filer's e-mail	ajd@dimarinolaw.com, doner@dimarinolaw.com
Signature	/Anthony J. DiMarino, III/
Date	03/31/2011
Attachments	PSI Reply to Nahshin Response to PSI Objection.docx.pdf (5 pages)(177035 bytes)

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL & APPEAL BOARD**

Leonid Nahshin,
153/36 Beer-Sheva
Beer-Sheva, 84746
ISRAEL

Plaintiff-Petitioner

vs.

Product Source International, LLC
13 Coleman Road
Berlin, NJ 08009
UNITED STATES

Defendant-Respondent

Opposition No.: 92/051,140

Registration No.: 3,350,041

Mark: NIC-OUT

Interlocutory Attorney:

Ann Linnehan, Esq.

**DEFENDANT’S REPLY TO PLAINTIFF’S RESPONSE TO DEFENDANT’S
OPPOSITION TO PLAINTIFF’S MOTION TO RESUME PROCEEDINGS**

Respondent Product Source International, LLC (“PSI”) respectfully requests that it be provided with an additional period of time to April 8, 2011 to serve cross-examination questions to Leonid Nahshin and Alexander Slobidker for the following reasons.

In its Response to Petitioner’s Motion to Resume Proceedings, Respondent had requested a period of 25 days to respond from the service of the questions. Respondent now amends that request.

The undersigned, counsel for Respondent, PSI, was involved in a jury trial in federal court that commenced on March 1, 2011 and concluded on March 10, 2011.

Since returning from trial, counsel for Respondent has been working diligently to handle all the matters that were pending during the three weeks he was preparing for or participating in the trial. As such, Respondent respectfully requests that the deadline for Respondent to serve the cross-examination questions to Leonid Nahshin and Alexander Slobidker be extended to April 8, 2011.

In support of this application, Respondent incorporates, by reference, the Affidavit of Anthony J. DiMarino, Esquire, filed contemporaneously.

Any consideration the Board could extend in connection with this request would be greatly appreciated.

Date: March 31, 2011

Respectfully Submitted:

/Anthony J. DiMarino/
Anthony J. DiMarino III, Esq.
U.S.P.T.O. Reg. No. 37,312
ajd@dimarinolaw.com

A.J. DiMarino P.C.
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Woodbury, NJ 08096
(856) 853-0055 main
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**AFFIDAVIT OF ANTHONY J. DIMARINO, III
IN SUPPORT OF DEFENDANT'S REPLY
TO PLAINTIFF'S RESPONSE TO
DEFENDANT'S OPPOSITION TO
PLAINTIFF'S MOTION TO RESUME PROCEEDINGS**

I, Anthony J. DiMarino, III, being of full age, declare the following upon my personal knowledge:

1. I am counsel for Defendant-Respondent, Product Source International, LLC in the above referenced matter.
2. I was involved in a trial for the United States District Court in the District of New Jersey from March 1, 2011 to March 10, 2011. I spent the two weeks prior to March 1, 2011 preparing for that trial.
3. Since I returned from that trial, I have been working diligently to catch up on the matters that were pending during the time I was on trial.

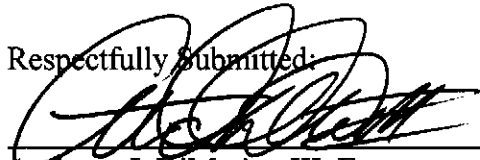
4. I provide this certification in support of Respondent's Request that the time to serve the cross-examination questions for Leonid Nahshin and Alexander Slobidker be extended up to and include April 8, 2011.

5. By electronic mail on the morning of March 31, 2011, I asked counsel for Petitioner, Vera Chernobylsky, Esquire, if she would consent to this extension. As of the filing of this document, I have not yet heard back from Ms. Chernobylsky.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

Date: March 31, 2011

Respectfully Submitted:



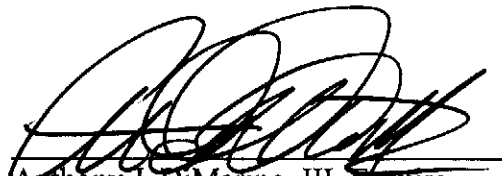
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CERTIFICATE OF SERVICE

I, Anthony J. DiMarino, III, Esquire, counsel to Defendant-Respondent Product Source International, LLC, hereby certify that the foregoing DEFENDANT'S REPLY TO PLAINTIFF'S RESPONSE TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO RESUME PROCEEDINGS and AFFIDAVIT OF ANTHONY J. DiMARINO, III, ESQUIRE were sent this 31th day of March, 2011, via fax and regular mail to the below-named counsel for Plaintiff-Petitioner Leonid Nahshin:

Vera Chernobylsky, Esquire
Law Offices of Vera Chernobylsky
4623 Dunman Avenue
Woodland Hills, CA 91364


Anthony J. DiMarino, III, Esquire